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*Trade in America 32*

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C O N C I L I A T O R Y B I L L S  
C O N S I D E R E D.

1776



1871

T H E

CONCILIATORY BILLS

*England. - Parliament - Bills. [Appendix -  
K America]*

C O N S I D E R E D.

*Two bills read 19 Feb. 1778.*

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T H E

CONCILIATORY BILLS

CONSIDERED.

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**T**HE war which has raged, for some time past, between Great Britain and her revolted Colonies, has not been productive of a greater variety of events, than of opinions concerning its cause, its progress, and its expected consequences. The public in general being deeply interested in the event, individuals have turned their minds to a subject, which is of so much importance to the present and future prosperity of the British empire. In a state pos-

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possessed of freedom, the field of enquiry, into public measures, lies open to all; but as few have the means of information in their power, and fewer still abilities to decide in matters of intricacy, we ought not to wonder, that the sentiments of the public are sometimes contradictory, and always fluctuating, on subjects of a great national concern.

This freedom of opinion, though in itself essential to the very existence of public Liberty, produces seldom a favourable effect on public measures. To hold the helm of the state, where the currents of general sentiment and prejudice, are always changing, and often violent, is a service of certain labour, and uncertain success. Executive government, clogged in its operations by the forms of legislative authority, or cramped in its measures by the jealousy of the people, can seldom exert itself with vigour; and thus from causes which constitute the internal happiness of a free state, its external exertions become too frequently feeble, and consequently ineffectual.

The justness of these observations is placed in the strongest point of view, by the contest between Great Britain and America: States not  
possessed

possessed of half the force and resources of the former, if under a more absolute government, might have prevented the revolt of the latter. Councils under no controul, might have crushed the very seeds of rebellion, by a timely exertion; whilst the minister of a free country, finding himself bound by the established rules of the constitution, has been forced, in a manner, to overlook the beginnings of calamities, which he must have foreseen. Prudence would have dictated a line of caution, in suppressing the first appearances of a revolt, which, if prevented, might have been supposed as not likely to have ever happened.

The greater regard a Minister has for the constitution, the less will his measures assume the appearance of decision. Guiding his conduct by the opinions of the nation, he finds it often necessary to avoid those rapid exertions, which form the most brilliant ornaments of absolute government. He justly supposes, that the very prejudices of the people are entitled to respect; and though he should even perceive that the worst designs come disguised in the form of freedom, he ought to think it his duty to treat them with lenity, for the sake of the garb they wear. Such were probably the motives, which directed the first mea-



tures of the noble lord, now at the head of public affairs, in the contest between Great Britain and her Colonies. He chose rather to reclaim by moderation, than to check with rigour; and if his endeavours were not crowned with success, the violence of the insurgents ought alone to be blamed.

To look back to the rise, or to trace the progress of the American war, is foreign to the purpose of this Essay. To those who have impartially examined both, and the subject is pretty generally known and understood, no censure for either can appear to fall, deservedly, on the noble Lord. If the regulations, with regard to America, gave her any just cause for revolting; those regulations existed before the reins of government fell into his hands. His Lordship, to use his own expression, was "dragged unwillingly into an office," which had been unexpectedly deserted by his predecessor. When he entered upon the duty of his station, he found the state engaged in disputes with America; to the causes of which he was not an accessory, though, perhaps, not a stranger. When the contest began to encrease to a degree, which threatened hostility, he endeavoured to calm the minds of the Americans with every overture of  
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Conciliation, consistent with the Supremacy of the Mother-country.

Early in the month of February, 1775, long before the sword was drawn at Lexington, the two Houses of Parliament, at the suggestion of the Minister, voted an address to His Majesty, as the foundation of a Reconciliation. In their address they seemed only to threaten the sword, whilst they actually held forth the olive branch. America herself was left the arbitress of her own fate; to chuse an equitable Peace, or to wage an unjust War. The Minister, anxious to prevent hostilities, which could not terminate but in misfortunes to both countries, laid before the House of Commons, on the twentieth of February in the same year, explicit Propositions to form a solid basis for a Reconciliation. Those Propositions contained Concessions little short of the terms held forth in the present Conciliatory Bills. The article of parliamentary taxation was virtually relinquished. The General Courts and Assemblies of the Colonies were to raise, by their own authority, whatever sums they might think adequate to their just proportion of the general supply; and no power of taxing was actually retained by the British Legislature, but the laying of duties, for the regulation of Commerce.

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Though the demagogues abroad and the Opposition at home, unfortunately for both countries, defeated the intention of the Propositions, by terming them “*insidious* in their nature, and, “for that purpose, rendered obscure and perplexed in the language,” the noble Lord continued his endeavours to accomplish a Reconciliation. Though no avowed communication could at the time be opened with the American Congress, means were found to lay before them the sincere wishes of Administration, to agree to all such terms of reconciliation, as were consistent with the ancient Supremacy of the Mother Country. The minds of the Congress were not then ripe for accepting terms, which would eventually divest them of their assumed authority ; and thus, the humane intentions of Government, being defeated, fell to the ground.

The succeeding events of war did not divert the mind of the noble Lord from his uniform desire of peace. Though America had recourse to arms, and committed hostilities, during the remaining part of the year 1775, he still was willing to believe, that her conduct proceeded from a misapprehension of the real designs of government. In the midst of  
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every preparation, for drawing the sword with effect, the eye of the Minister was without deviation fixed on a safe and lasting Peace. When he proposed Acts of coercion, those Acts were rendered conditional, and their effect was to cease, whenever the Americans should shew a disposition to return to their duty. To remove distrust and to gratify even prejudice herself, men were chosen to conduct the war, whose principles were known to be inclined to Peace. To open a field for Negotiation, the Commissioners were vested with the whole power of the Crown to pardon; and they were authorized to grant such terms, as America herself should think necessary to her future repose.

Though the obstinacy of the insurgents rendered abortive every scheme of conciliation, the Minister still looked forward with anxiety towards a period to the war, on terms more calculated to regain the affections of the Americans, than to leave the impression of injury upon their minds. He perceived, that the animosity of America had ascended to a height that could only be reduced, to the level of negotiation, by the force of arms. With a view to the re-establishment of tranquillity, ample



resources for carrying on the war with success were found. The force of a great kingdom was exerted, with every attention depending on office; ample provision was made against every misfortune, but such as could not have been foreseen. In short, nothing was left undone, on this side of the Atlantic, which prudence could suggest, to render the Campaign decisive on the other side.

But when the Minister had reason to flatter himself with every prospect of success, his views extended not to that unconditional submission, which his enemies have affixed to his designs. On the contrary, he considered and declared that the moment of victory was the most proper time for negotiation. Convinced as he was, that the Rebellion in America was the work of a faction, he wished not to punish the whole for the sins of a few. Attached as he was to the rights of Great-Britain, he thought not that America ought to lose any of *her* rights. Determined as he was, to maintain the Supremacy of the Mother-Country over her Colonies, he had no intention to extend that supremacy beyond the bounds prescribed, by the usage of former times; and, as he considered the  
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British Empire as one, united, indivisible body, his wish was that the inherent rights of the British constitution should pervade the whole.

The force actually in America at the beginning of the last Campaign, the plans formed at home, for exerting that force, with the best effect abroad, the actual distress of the enemy, their want of resources, and above all the disposition of the Commissioners to offer equitable terms, and even to grant such claims as might tend to quiet the minds of such of the Insurgents as should chuse to return to their allegiance, gave the most flattering hopes that Peace was advancing with hasty strides. Though the completion of those hopes was deferred, by some untoward circumstances, which accompanied the opening and retarded the progress of the Campaign, there still remained a foundation for reasonable expectations of a speedy and happy end to the war. The Operations, on the side of Canada, began with splendour and were attended, in the beginning, with every appearance of real effect. The Province of New-York, known to be well disposed to Government, lay open, as was supposed, to our arms, and many of the inhabitants were ready to receive our protection. The

accounts, which were received from time to time, from the principal army, though not sent by authority, by corroborating one another, seemed to place a decisive advantage over the enemy, beyond any doubt. In short, every thing conspired to render it probable, that the happy moment for putting an end to the war was near.

Those flattering hopes existed, in their force, at the opening of the present session of Parliament. The Minister, having his eye fixed, invariably, on a safe and permanent Peace, threw out to the House, on the first day of debate, that he was of opinion that terms might be made with the revolted Colonies. Those terms, he thought, should be offered, as he had uniformly intended, in the moment of victory. But, in the course of a few days, the prospect was entirely changed. Authentic intelligence was received, that the advantages, gained by Sir William Howe, had been magnified into decisive victories, by uncertain report; and that the enemy, though forced to abandon the principal seat of rebellion, were so far from being dispersed and subdued, that they had recovered confidence sufficient to attack the victors in their camp.

The undecided state of the war on the side of Pennsylvania, had been scarcely announced to the public, when the news of the defeat and surrender of the Army, under General Burgoyne, was received. This intelligence, instead of rousing the resentment, seemed to depress the spirits of the nation. The Gentlemen in Parliament in opposition to Government who had uniformly recommended peace, encreased the general despondence, by inveighing against the continuance of a disastrous war. Administration, though anxious for a restoration of the public tranquillity, perceived no probability of restoring it, with either credit or advantage to the nation, in the present uncertain, as well as untoward state of affairs. The time of offering conditions of accommodation seemed to be past; as an enemy flushed with victory, was more likely to look forward to conquest, than to listen to terms. The raising of new Levies and the creating a new force, appeared to be the only line that could be pursued by Government; as the being prepared still to push the war with vigour was deemed a step towards an equitable peace.



Though the state of national resources was far from being either desperate or inadequate to efforts capable of terminating the contest with success on the side of Great Britain, it was felt that the war had already lasted too long. A shew of spirit was exhibited by the Nation, but it proceeded from indignation at a defeat. The claim of Parliamentary taxation had been always urged, more as a mark of the necessary supremacy of the Mother-Country, than from any expectation of a considerable revenue from the Colonies. That claim had been the public pretence for a revolt, which had, in fact, been excited by private ambition. It was the means by which designing men had seduced the great body of the people from their allegiance; and to remove the cause was deemed the only way to destroy the effect. The exercise of taxation, though, perhaps, the right is inherent in the supreme legislative authority in every country, could never be secured but by the same force by which it might be established. The whole, in short, rested on a mere punctilio, whether the exercise of a right, in itself evidently of little value, should be dropt entirely or be maintained at an enormous expence.

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The continuing the war for the mere obtaining of such an unprofitable object, it was plainly perceived, would be to exhaust the internal resources of the nation, without the least prospect of an external revenue, to retrieve its loss. The exertions already made had been so great and had cost so much treasure, that it was thought prudent to put a stop, as soon as possible, to the national expence. What arms could do had been tried. Future campaigns might be as unsuccessful as the last. Our natural enemies might take advantage, when our strength was exhausted. We were at war with a country, not with a particular set of men. That very want of resources, which, it had been supposed, would have brought the Americans to reason, strengthened them in their resistance. In vain were battles fought and victories gained in a country in itself containing nothing to reward the victors, and whose extent, by affording back retreats, secured the vanquished from the consequences of a defeat.

To these difficulties in carrying on the war abroad, many and various obstacles at home might be added. A people depressed, by the artifices of factious men, melancholy apprehensions without doors, a numerous and clamorous party

party within, the real terrors of the weak, the affected fears of the seditious, combined to obstruct the Councils of the Cabinet, and consequently to recommend the nearest path to public tranquillity. No steps, however, could be taken toward that desirable object, till certain intelligence of the events and end of the Campaign should arrive. The impatience of the public grew in proportion to the public interest in the contest. The Minister, after the declaration he had made at the opening of the Session, was accused of irresolution in his public conduct. The general voice called for some decided line of measures; either immediate proposals of peace or the most vigorous exertions of war. Provision was accordingly made for war, but with a view to obtain peace.

Certain intelligence at length was received, that the campaign was closed, and that nothing decisive had happened. It appeared, that though the Insurgents had been victorious in the North, their grand army in the South had not acquired sufficient confidence to quit its defensive plan. It appeared, that our men were in health and spirits, that our army, in artillery, in discipline, in courage, and even in number, was much superior to Washington's army; in short, that our force in  
America

America was still sufficient to compel her to reasonable terms. But it also appeared, that notwithstanding these advantages, the war might be spun out to a great length, by the obstinacy of the Insurgents. Though unable to cope with our army in the field, or to hold out any place of strength against our artillery, the Americans had been reconciled, by experience, to defeats, which had been followed by no fatal consequences. The new government, which they had built on the ruins of their Allegiance, had acquired vigour sufficient to unite the whole force of the country against our efforts; and their Resistance threatened a permanency which human prudence could not at the beginning have foreseen.

The state of opinions at home, and the situation of affairs abroad, requiring an immediate decision; it became necessary for Administration to adopt decisive measures. The Majority of the nation seemed inclined to strengthen our force, and to continue the war; some wished to withdraw it entirely from America; and a third party recommended terms of Conciliation. The first Proposition was certainly the most dignified, and therefore the most suitable to the minds of men, who connect their own reputation



with the honour of the nation! This imaginary honour, however, ceases to be an object with the prudent, when it materially interferes with the public interest. An absolute conquest of America is certainly not impracticable, considering the inherent power, and still vast resources of this great empire. But then a question arises, is the object worth the expence of men and money that must necessarily be incurred? We know what the war has already cost, in both respects; and should we judge of the future by the past, we have not yet arrived at half the expence of an Unconditional Submission. What return ought we to expect for such effusion of Blood, and such waste of Treasure? Could the wilds of America, or even a better country ruined by a long series of hostilities, pay even the interest of a third part of the money already funded on account of the War? Or could the colonies, though cherished by the hand which had corrected them, recover, in a series of many years, resources sufficient to defray the very expence of securing their submission.

The withdrawing the war from America is the second proposition; and that measure, it must be acknowledged, has many and respectable



table abettors in this kingdom. The misfortune is, that men are not always to be trusted, when their minds are either clouded by disappointment or biaſſed by faction. To withdraw the war from America is certainly to reſtore *that* country to peace; but peace, on ſuch terms, would prove fatal to the repoſe of Great Britain. The ſupremacy of the Mother-Country was the original cauſe of conteſt; and what is the value of peace, unleſs the object of war is obtained? Will the Congreſs, who made no ſteps towards a negotiation, when preſſed with fleets and harraſſed by armies, ſhew any inclination to treat, when the objects of their terror are removed? Can we expect from their generoſity, what we could not extort from their fears? If we could not command reſpect, when encamped in their country, are we likely to regain their confidence, when we ſail from their coaſt? Would they renounce an independence, which, by withdrawing the war, we acknowledge in fact we could not force from their hands? What claim have we upon their friendſhip, or what dependence on their folly, to expect that they would yield to our timidity what they had reſuſed to grant to our valour? Would not they rather conclude, and juſtly too, that a ſtate, which ſhould own itſelf incapable of enforcing

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forcing its supremacy, had no right to their allegiance ?

The party, who contended for recalling the war from America, or, which is the same thing, recommended the suspending its operations there, affirmed that they argued from a necessity of an immediate reconciliation. Some will, probably, alledge, that the necessity arose chiefly from the conduct of that party. But the existence of the necessity itself is less problematical, than the various sources from which it has flowed. Whether it proceeded from faction at home, from ambition abroad, from the misconduct of Ministers or the negligence of Generals, from errors in planning or difficulties in execution, or from all these joined together, is not a subject for present enquiry. The situation of the nation, the state of opinions, the benefits to be derived from tranquillity, the want of a *recompensing* object for continuing hostilities, the low condition of the national stocks, the consequent decrease of national credit, a gloomy despondence at home, the troubled aspect of the 'political sky abroad, and various other reasons, might suggest to the Minister, nay render it incumbent upon him to

make one great effort to procure a safe peace, before he plunged deeper into a ruinous war.

In a country torn by faction and misled by misrepresentation, where popularity, and, too often, power are obtained through imposition; where political deception is not deemed inconsistent with private honour, and where the candidates for office seduce the prejudices of the people, whilst they pretend to adopt their principles, a Minister is frequently *forced* to bring forward measures, of which he himself cannot, perhaps, thoroughly approve. Though the noble Lord, at the head of affairs, had uniformly fixed his eye on a safe peace, the present time would not probably have been the very moment, in which he would have chosen to offer terms. Had he waited for a more fit opportunity, and by that means failed, Opposition might perhaps hereafter persuade the nation, that an accommodation could have been effected, had equitable and moderate conditions been proposed, at this very period. But the necessity of adopting it, before the opening of the ensuing campaign, will appear to those who chuse to weigh what has been already advanced, and what is further to be urged.



Suppose the noble Lord, availing himself of the superior information of his office, had founded his measures on facts, which sound policy forbid him to reveal. Suppose he had been assured, by incontrovertible authority, that the Americans, though united against Great Britain on the present footing of the contest, were divided among themselves, with regard to future arrangements. That in the revolted Colonies, as in every country, there is a moderate as well as a violent party. That the first looked forward to a settlement on the old establishment; that the latter were determined on independency. Suppose both parties equally ballanced in opinion, though only one of them possessed of actual power. That the moderate looked back, with anxiety, toward the Mother-Country; that the violent tampered with a foreign power. We may still continue the supposition, that a certain foreign power began to listen to the latter; and that the former, beginning to despair of moderate terms from Great Britain, were ready to fall into the views of the violent, and to support Independency, as they could cherish no hopes of an equitable connection.

In such a situation of things, would it have been prudent, would it have been just, or even  
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would it have been safe, for a Minister to defer the proposing of terms, that might have a *chance* of putting an end to a war, which lies so heavy on all our national resources? Though doubts should even have been entertained, whether a negotiation could take place, how could the Minister, without making the experiment, persuade the nation, that no accommodation could be obtained, as a whole party loudly affirmed, that nothing, but equitable propositions, was wanting to a reconciliation? Among all the benefits of a popular government, there is one great disadvantage, the incredulity of the people, with regard to the probable existence of an evil, should the measures of Government have prevented that evil. Had Administration, by a spirited exertion, prevented the present rebellion, by destroying it in the bud, who would have believed, that a dangerous revolt was to have at all happened? Would not prudent precaution, in that case, have been stigmatized with the name of tyranny? In the same manner, would not the avoiding to offer terms, when even there was little probability of their being accepted, be deemed an exertion of those arbitrary principles, which opposition have endeavoured to fix on the Ministry? And should the event  
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of the war procure no better conditions of peace, than those now offered in the Conciliatory Bills, would not the Minister be accused of wantonly squandering the treasure, and of idly spilling the blood of the nation, to humour his prejudices, or to gratify his resentment ?

The necessity of offering terms to America, in the present conjuncture, being apparent, it would be only deceiving the nation, not to give those terms every possible chance of success. The Minister had declared that he never once thought of proposing an Ultimatum to America ; or, in other words, to define the limits of the concessions ultimately to be made to the Colonies, upon their renouncing Independency and returning to their allegiance. In a contest, comprehending so many difficulties and nice points, so many matters, which require future arrangement as well as immediate remedy, so many claims and rights on both sides, each party should come to an open conference, as little incumbered as possible, with general and indispensable restrictions. To obtain such an open and unembarrassed conference, it became necessary to remove the real and even the supposed causes of the quarrel ; to obliterate, if possible, the very traces of coercion, and the lines,



lines of resistance ; in short, to carry back the minds of both parties, from battle and blood, to the days of friendship, connection, and unanimity.

To establish this necessary and desirable preliminary, no choice was left but to propose the repealing the most obnoxious of those laws, which have been the pretended cause of war, and to put the others in a mode for discussion. The most of those laws were originally intended for mere coercion ; to recall the minds of the Americans to a sense of their duty, rather than to form a system of future regulation for the Colonies, after their return to their allegiance. To abrogate the authority of laws, which had failed to produce the intended effect, if it is at all a concession, is not a dishonourable one, on the part of Great Britain. The same thing has been frequently done, and will be frequently repeated, in this kingdom, when the great body, or even a respectable part, of the people, deem the Acts of the Legislature, either grievous in themselves or defective as to their object. The truth is, the laws restraining America were, in effect, repealed when the sword was drawn. When an appeal is made to arms, it is impossible to say where the contest will end. Should it, in the present case, end  
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where the most sanguine abettors of the Supremacy of the Mother-Country wish, it is extremely doubtful, whether it would be expedient to continue the force of any one of those Acts, which the late Conciliatory Bills have repealed.

The repeal of the obnoxious Acts, being a necessary step towards bringing, with some degree of equality, the contending parties to the field of negotiation, another measure was wanting to give a fair chance to a conciliation. Where there is a serious intention of accommodating differences, by treaty, to stand upon forms would be puerile and imprudent. Ceremony and *etiquette* are more suitable to Courts, than to the Cabinet. When the sword is drawn, HE only who holds it, has the power, if not the right, to sheath it. He alone can treat, as he owns no power superior to himself. To expect to enter into a negotiation with America, through any legal channel, would be absurd, where legal government has, long since, given place to usurpation. It therefore became necessary to furnish the Commissioners with unlimited powers on this subject; powers, which enable them to treat with the Congress, with persons actually in arms and rebellion; with the general Assembly  
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of all the Colonies, or with the Assembly of a particular Province:

In former times, in another situation of affairs, it might be alledged, that to treat with Rebels, by Act of Parliament, would be to give a legal sanction to Rebellion. Were there even a probability, that arms could decide the contest, in any limited time, in any determined period, within the reach of our resources, or consistent with the value of the object fought, perhaps, the example now given, ought to be avoided. When America appeared to be divided, whilst there remained a chance that American loyalty was on any footing of equality with American faction, the Commissioners for re-establishing tranquillity were confined to the old line of the constitution. They were only authorized to treat with the Colonies separately, with the Colonies under their ancient and legal systems of government. But those systems are annihilated; new powers have started up, on the ruins of the old; and we must treat with those new powers, otherwise we cannot treat at all. The government *de facto*, though not *de jure*, is in the hands of the Insurgents; and the acquiescence of the body of the people, whether it proceeds from fear or prejudice, imparts a kind of legality to that government.

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The law of England admits, that obedience to a government *de facto* is legal ; why then should it be deemed unconstitutional to treat with such a government ? Without having recourse to the supposed omnipotence of the three estates of Parliament, who make their Acts a part of the constitution of the kingdom, we should suppose, that there may exist an expedience, a necessity, superseding all law. That expedience and that necessity now actually exist. The various concurrent causes, which called for the measure, are hastening to their effect. The line of legal distinctions and constitutional ceremonies is past. America has, in a manner, exposed herself to sale. She has established a kind of auction of her commerce, perhaps of her Independence. Other formidable powers shew not only an inclination, but even an avidity to become purchasers ; and we are under the necessity of coming to a reconciliation, or of relinquishing all our claims.

When an Act was passed, in a former session of Parliament, empowering Commissioners to treat only with the various Provinces, through the persons of their legal representatives, we were not aware of the extent of the Rebellion. We considered America, as divided within herself ; and reasonable expectations were formed, that the moderate, supported by our arms,

arms, might prevail over the violent. The authority of the Congress was new, and consequently not firmly established; and to give them importance by Negotiation, would have been to confirm their power. Their power by accident, or by misfortune, is confirmed. The influence, which always follows authority, is wholly in their hands. If tranquillity is our object, with *them* we must treat for peace. Would it be prudent to risque the lives of thousands, and the expence of millions, for the preservation of mere ceremonies? Could Charles II. ever have mounted the throne, had he obstinately adhered to Constitutional forms, in his negotiations with Parliament? The Parliament, by whom that Prince was restored, had been in fact, as *unconstitutionally* formed, as the American Congress. They had not assembled, upon a writ issued by any person, who was either *de jure*, or *de facto*, King. But had Charles refused to treat with them, on that account, he might have passed his life in the same contemptible exile, which has since been the lot of his family.

A field for Negotiation being opened, by a desertion of mere forms, it was necessary to arm the Commissioners with other extraordinary powers, to bring that Negotiation to a fortunate

issue. The prerogative of suspending Acts of the Legislature, is a power, which is always sparingly and seldom without jealousy, bestowed by Parliament, on the crown itself. There is however, a precedent for vesting such a power in subjects. It is to be met with, if I am not mistaken, in the reign of Charles II. when Commissioners were appointed to treat with Scotland. But, as the American war itself has no precedent in former times, the creating one to extinguish it, is neither unconstitutional nor unjust. The avowed cause of Rebellion arises from real or supposed grievances, existing in the statutes of this Realm. Before the Americans took up arms, they specified, in their various remonstrances and petitions, many of those grievances. But, in the course of the expected conferences, others may be brought forward; and, unless the Commissioners are vested with powers to suspend such Acts, as it may be necessary to repeal, the Negotiation may be interrupted and the intention of the commission defeated.

The other powers, vested in the Commissioners, require no defence, as they are neither unprecedented nor uncommon. But had they agreed, in no respect, with the known lines of the con-



constitution, the novelty of the evil, which they are intended to remedy, must have sufficiently pleaded their excuse. A Peace with revolted subjects became an object of the utmost consequence, when formidable neighbours threatened war. To think of obtaining that object, without providing against the very prejudices, as well as complying with the equitable demands of the party, with whom we are to treat, would be to deceive our hopes and to lose our time. In the conferences, which are to be opened with the Colonies, the Mother-Country must be supposed to be virtually present, in the persons of her Commissioners. In those conferences, she will probably have occasion for a mother's patience; at least, she ought to practise a mother's forbearance. To re-establish the dependence of America is, considering our present state, to obtain the object of the war; and the trivial obstacles, which pride, caprice or folly, may throw in the way, *must* be surmounted.

Much has been advanced and more will still be said, against the measure, for terminating the war, by renouncing some of the claims of the Mother-Country over her Colonies. Many complain, that the honour of the nation is bar-  
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tered away for a peace, as uncertain in its continuance, as, to use their own words, it is disgraceful in the terms. Several affirm, that the absolute Independency of America would be preferable to a connection, which will subject us to the expence of defending a country which yields no revenue, and where our authority is at an end. Some alledge, that the moment for Negotiation is past; others, that it is not yet arrived; whilst many blame the novelty of a treaty, in which terms are granted, before they are required. All seem to be heartily tired of a contest, which has produced but few laurels in its progress, and promises no advantage from its issue.

To answer the first objection would be only to recapitulate the arguments founded on necessity, which have been already advanced. A nation, strictly speaking, can lose no honour, but when her councils fail in prudence. Few, who know the resources, the spirit, the inherent force of Great Britain, can form a doubt of her being still capable of reducing America to unconditional submission. But is the object worth her exhausting the first, wasting the second, and perhaps, annihilating the third? Can a country, unable to furnish any considerable revenue in its prosperity,

prosperity, yield a revenue, after being ruined by conquest? Would it be prudent in Great Britain, to gratify her resentment against revolted subjects, at the risque of rendering herself incapable of resisting foreign enemies? Or, is the glory that might arise from the reduction of Rebels, in any respect an equivalent, for the dishonour of being overcome by aliens?

Those, who prefer the Independency of the Colonies, to even a nominal return to their duty, seem not to have considered the subject. To open a conference is half the business of conciliation; the renouncing Independency is more than half-way, toward the renewing a proper connexion and establishing a permanent union. As soon as the old form of Government is restored, power and influence will return to their ancient channels. The mild opinions of peace will succeed the haughty obstinacy of war. The former ties of connection with the Mother-Country, will be tenewed and gradually acquire strength. Esteem will take the place of aversion. The respect and awe which accompany the very name of a parent country, who has reared, fostered, and cherished them, will, by degrees, recover their former force. The concessions of the present times will be forgot; and the



the people, finding the benefit of dependence on and a close connexion with their mother, will restore to her Government, its ancient and necessary consequence.

But some men will ask, with an appearance of reason, of what use is the name of power, without the usual emoluments of authority? Is it expedient, or is it wise, to be at the expence of protecting against foreign enemies, a country which yields no internal revenue, for its own defence? Would it not be more prudent to permit the Americans to protect their country with alliances, or to defend it with arms, than to stretch the shield of Great Britain over them, for the mere vanity of calling them subjects? There is an obvious answer to these queries. The restoration of tranquillity, upon terms which promise permanency to it, is an object of the last importance to both countries. But why should we suppose, that in expediency, in justice, on any principle of policy, the Colonies will not consent to contribute a proportionate share, toward the common defence of the Empire; provided that share is raised, by the authority of their own internal legislatures? Should we estimate the value of some other regions within the circle of our empire, by the revenue they furnish, the  
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keeping them might appear a disadvantage. But men, as well as money, constitute the force of a state. The wealth which enables some countries to yield a great revenue, disqualifies them from protecting themselves ; and thus the weight of defence falls on those who have least to lose.

Besides, when the Americans cease to be our subjects, they become our rivals. Possessing a country similar to our own, they have the same commodities to bring to market ; and they may soon have the same manufactures, as their ingenuity is equal and their knowledge scarcely less. Should they remain, only under a nominal subjection, we have the best chance for their commerce, if we cannot command it ; at any rate, we shall not have their weight against us in war, should we derive but little advantage from their trade in time of peace. As to the expence of keeping America, after her return to her allegiance, why should we suppose, that she will not agree to defray the expence of her own internal government ? Her external expence we must bear. Protection is the price we pay for her obedience. Whilst the Americans are our subjects, we must speak for them to foreign powers ; should they become allies, they will naturall, speak

for themselves. In short, if we can acquire no wealth, from their return to their duty, we will derive from it security, and if they do not prove faithful subjects they will, at least, cease to be inveterate foes.

The party, who affirm, that the moment for conciliation is past, if the allegation is true, have only the obstinacy of the Americans to blame. It has already appeared, that the Noble Lord who moved for the Bills of Conciliation, had made repeated overtures of peace, in vain. That to gain the confidence of the Insurgents, and, as it were, to allure them into reconciliation, choice was made of Commanders and Commissioners, who were known to favour the first claims of the Colonies. That when lenity failed, the war was furnished with every resource, to render its success sufficiently decisive, to induce the Americans to ask for those equitable terms, of which victory itself was not intended to deprive them; and, that every measure of Government has been strongly marked with a sincere desire of bringing about that tranquillity, which is the object of the present Conciliatory Bills.

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Upon the whole, it appears, that prudence, policy, expedience, and even necessity, which supersedes every other consideration, traced out to the Minister the line of conduct, which he has pursued. Had he preferred popular applause, to the real good of the state, he might have continued the war, with such pompous circumstances as might have made ruin itself splendid. The dangers arising from exertion are not half so discouraging, as the reflections which accompany a supposed timidity of measures. But why should the measure, which has been so amply discussed, fall under the latter description? In the noise, hurry, and bustle of war, the machine of state is more easily guided, than when its wheels are encumbered, by those popular objections and discontents, which have ever attended, in this country, the settlement of peace. Trivial advantages, or even slight misfortunes, carry the minds of men to the scene of action. Those who move the great springs of Government, are either overlooked or forgot; and being disturbed, neither by applause nor censure, they find that leisure, which enables them effectually to serve the state.

Notwithstanding the necessity, which has brought forward the measure of Conciliation,

in the present crisis of public affairs, it can scarce be expected, that it will meet with the hearty approbation of either of the parties, who divide between them the nation. Those, who had recommended and have supported the war, look forward to peace, through the medium of victory ; and those who employ their oratory in favour of peace, do it only, because they themselves are not permitted to conduct the war. The former considered unconditional submission on the part of America, as necessary to the interest and dignity of Great Britain ; the latter are convinced, that any submission will prove destructive to their own interest. The first dread the consequences of an example of yielding points to Rebels ; the second hope, that the appearance of yielding points, will confirm the Insurgents in their resistance. Both parties endeavour to seduce the principles or to arm the prejudices of the nation, in their own favour ; and they have so far succeeded, that the body of the people, long agitated and tossed between two opinions, have become, at length, tired of the contest, and indifferent about the manner of its end.

In this state of things, the Minister had no line to follow, but that which he has pursued.

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One party urged him to war, another recommended peace; the dignity of the nation seemed to point out the former, but her interest required the latter. Pressed as he was by the vehemence of the two parties, and perceiving no leading principle in the minds of the people, to decide his choice, he resolved to steer the middle course; and, whilst he gave every chance to peace by concession, he took care by preparation, to procure every probability of success to war.

But if the internal condition of the kingdom pointed out the necessity of the Conciliatory Bills, that necessity is rendered still more urgent, by our external state, with regard to the rest of Europe. The natural enemies of Great Britain, dreading her re-union with her revolted Colonies, have openly espoused a cause, which they secretly encouraged before. If the interests of America still employ any part of the care of her leaders, they will prefer the old connection with the mother-country, to their new alliance with a foreign power. If they should continue obstinate, they may have it, in their power, to embarrass this kingdom, whilst they actually ruin themselves. It is not at all improbable, but  
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the two parties, so often mentioned in this Essay, may be gratified, by a failure of the Conciliatory Bills ; as private ambition is often too powerful an adversary, for any zeal for the public good.

Should that be the case, what is then most likely to happen? I trust nothing fatal to either the interest or dignity of this kingdom. Safe in our situation at home, and by that safety abounding in resources, we have it in our power to make the most effectual exertions abroad. The war, by becoming more extensive, will have a greater object in view ; and, if with spirit conducted, will maintain itself. Instead of fighting for deserts in the North, we may extend our conquests to the rich provinces of the South ; and, instead of recovering the allegiance of a people, we may acquire the dominion of a country, whose opulence will contribute to lighten our public burden. The Americans, when too late, will probably regret their having permitted the moment of CONDITIONAL SUBMISSION to pass without being improved ; and their allies will repent their having ever espoused their cause.

In espousing the cause of the Insurgents, the House of Bourbon seem ready to sacrifice their  
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own interest, to their animosity against Great Britain. If France will enable the Americans to establish Independency, she may lose her own West-India Islands ; if Spain will aid them in their revolt, she may set a dangerous example of rebellion to her own Colonies. Time and events may, perhaps, shew to both the folly of their present conduct ; for should Great Britain improve the discontents of the subjects of the latter power into a revolt, who would not think her justified in the measure ?

F I N I S.

own interest, to their antipathy against Great  
Britain. If France will enable the Americans  
to establish their liberty, they may live for ever  
in the land of liberty. Spain will aid them in  
their revolt. The happy and glorious example  
of freedom to the world. France and  
Spain may, perhaps, be able to follow  
their present course. The British  
to prove the difference of the results of  
liberty and power in a revolt. We should not  
forget that the British are the weaker.



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